

FINAL ORDER NO. 6380

DEPARTMENT OF PUBLIC SERVICE REGULATION
MONTANA PUBLIC SERVICE COMMISSION
1701 Prospect Avenue, PO Box 202601
Helena, Montana 59620-2601

IN THE MATTER OF **Frank J. Smith**)
dba Just Limos, Poplar, Montana, the)
application for a Montana Intrastate) Docket No. T-95.49.PCN
Certificate of Public Convenience and) Order No. 6380
Necessity.)

The Commission, being fully advised in the premises, makes the following findings, conclusions and order:

FINDINGS OF FACT

1. On August 8, 1995, **Frank J. Smith dba Just Limos, PO Box 729, Poplar, MT 59255**, filed an application with the Montana Public Service Commission under Title 69, MCA, to amend Certificate of Public Convenience and Necessity, PSC 9347. The certificate, PSC 9347, authorizes the following:

Class B - Passengers in limousine service between all points and places in Daniels, Sheridan, Roosevelt, Valley, Dawson, McCone, Richland, and Wibaux Counties.
Limitations: Transportation of Burlington Northern crews is prohibited.

Applicant proposes to amend the certificate to authorize the following:

Class B - Passengers in limousine service 1) between all points and places in the following counties: Carter, Custer, Daniels, Dawson, Fallon, Garfield, McCone, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Valley, and Wibaux; 2) to or from all points and places in the State of Montana, limited to transportation which originates or terminates in the counties listed above.
Limitations: Transportation of Burlington Northern crews is prohibited.

2. In accordance with Section 69-23-321, MCA, this matter was noticed to the public September 6 1995. That notice said in pertinent part:

If no written protests are received by September 26, 1995, a hearing may not be held and a final order may be issued in this Docket. If a protest is received, a hearing will be scheduled. Individual notice of the hearing will be given only to Protestants and Applicant.

The application included affidavits of support.

3. No protests or responses of any kind were received.

THE FOREGOING ORDER was adopted by the Department of Public Service Regulation of the State of Montana, Public Service Commission, IN OPEN SESSION at Helena, Montana, this 10th day of October, 1995, by a vote of 5 - 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

NANCY McCAFFREE, Chair

DAVE FISHER, Vice Chair

BOB ANDERSON, Commissioner

DANNY OBERG, Commissioner

BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson
Commission Secretary

(SEAL)

NOTE: Any interested party may request the Commission to reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.